

**Michigan Department of Environmental Quality  
Air Quality Division  
National Emission Standards for Hazardous Air Pollutants  
Asbestos Program**

The Michigan Legislature is currently considering Governor Jennifer M. Granholm's proposed budget for Fiscal Year (FY) 2010, which recommends returning the National Emission Standards for Hazardous Air Pollutants (NESHAP) asbestos program to the U.S. Environmental Protection Agency (EPA). The Michigan Department of Environmental Quality (DEQ), Air Quality Division (AQD), currently administers the asbestos program, which is funded by \$250,000 in General Funds and \$100,000 in federal grant money, for a total cost of \$350,000. Returning the asbestos program to the EPA would immediately and significantly increase the exposure of Michigan citizens to airborne asbestos fibers. Asbestos is a known human carcinogen. Significant exposure to any type of asbestos will increase the risk of lung cancer, mesothelioma, asbestosis, and other lung disorders according to the U.S. Agency for Toxic Substances and Disease Registry.

The asbestos program is designed to protect the public health and environment by minimizing the release of asbestos fibers during renovation and demolition activities. In FY 2008, the AQD's asbestos program received 3,400 notifications, conducted 411 compliance inspections, investigated 73 citizen complaints, and issued 53 violation notices with a staff of three asbestos inspectors. The inspectors also made 98 formal presentations statewide to other state agencies, contractors, and the general public, focusing on the need to understand and comply with the asbestos NESHAP regulations. Over the past six years, the asbestos program has collected nearly \$800,000 in fines. This year, one asbestos/demolition company has been charged with 11 felony counts and a second company is facing 2 felony counts and 2 misdemeanor counts.

There are approximately 1,000 contractors doing renovation, demolition, or asbestos abatement activities in Michigan. The current depressed economy has resulted in many new contractors entering the field of demolition without knowledge or concern of the asbestos regulations. Many of the experienced and reputable demolition and asbestos abatement companies have indicated that they may not be able to continue doing business in Michigan if the AQD does not maintain an adequate field presence. They believe they will lose a significant amount of their work to companies that do not check for or remove the asbestos from the buildings before they are demolished. The AQD has greatly contributed to keeping the playing field level for the contractors who are trying to comply with the asbestos regulations by conducting over 400 unannounced inspections of the 3,400 demolitions/renovations. Also, much of the demolition activities are focused in urban areas where the old manufacturing plants have been abandoned and where the cities are doing blight control. These are the same areas that the DEQ has been directed to protect with Michigan's "environmental justice plan" that is currently being developed.

The EPA's Region 5 office in Chicago has indicated that they do not have extra staff to devote to conducting asbestos inspections in Michigan. The EPA currently provides AQD with Section 105 grant money to run the asbestos program. Michigan faces losing a significant amount of this grant money if it returns the asbestos program back to the EPA. It should be noted that in 2008 the AQD responded to over 70 asbestos complaints, and in many cases the inspectors were at the demolition site on the day the complaint was received. High levels of fear and anxiety are generated over the thoughts of asbestos exposure, and the public will expect and demand that AQD continue to provide timely and effective responses. Through the NESHAP asbestos program, the AQD has been able to provide this type of service with asbestos inspectors located in Lansing, Detroit, and Marquette offices. It would not be possible for the EPA to provide a timely response even if they had adequate staffing in Chicago.

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March 25, 2009  
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